

REPLY TO FINAL OFFICE ACTION OF 10/14/2003

SERIAL NO: 09/336,424
DOCKET NO: 149-0112US

REMARKS

This paper is intended to be a complete response to the above-identified Final Office Action mailed on October 14, 2003. It is believed that no fee is required. If fees are required, however, the Assistant Commissioner is authorized to deduct the necessary charges from Deposit Account 501927/149-0112US.

Claims 1-52 were pending. Claims 1-52 were rejected. No claim is amended, cancelled or added in this paper.

Examiner Interview

The Applicants' attorney appreciates Examiners H. Nguyen and Primary Examiner K. Coulter for making time for a telephone interview on November 19, 2003. During the interview, the Applicants' attorney explained the claimed invention as exemplified in claim 1, and the differences between the claimed invention and the cited prior art references, in particular, USP 5,973,696 to Agranat. The following reply summarizes the argument presented to the Examiners during the interview.

Section 102 Rejections

The Examiner rejected claims 1 through 52 under 35 U.S.C. § 102(e) as being anticipated by Agranat Patent No. 5,973,696.

The Examiner asserts that Agranat discloses each and every limitation of claim 1 such that Agranat anticipates claim 1. The Applicants disagree. Claim 1 reads as follows:

1. A method, comprising:
 - a) receiving a message that was sent from a remote device, said message comprising a definition, a state change, and a command, said definition defining a fixed aspect of a user environment, said state change describing a change in a non-fixed aspect of said user environment, said command being a directive that causes a function to be performed; and,
 - b) processing said definition before said state change and said command are processed, processing said state change before said command is processed, and processing said command.

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The Applicants submit that claim 1 at least requires the following limitations:

1. A receiver, which receives a message, an entity separate from a remote device. The receiver may be called a local device in contrast to a remote device;
2. A remote device, which sends the message;
3. A message, a single message that is sent by a remote device and received by a receiver;
4. The message has at least three parts. These three parts must be parts or portions of a *single* message. The three parts are:
 5. A definition (as defined in the claim, i.e. fixed aspect of user environment);
 6. A state change (as defined in the claim, i.e. a change in non-fixed aspect of user environment); and
 7. A command (as defined in the claim, i.e. a directive to cause a function to be performed).
8. An act of processing the message;
9. The processing has a sequence;
10. The sequence is processing definition before state change and command;
Processing state change before command; and
The command is the last being processed.

The Applicants submit that the Examiner has not clearly identified all of the above claim limitations or their equivalents in the office actions. It appears that the Examiner mixes various elements disclosed in Agranat and assumes those elements to be various limitations required in claim 1 but ignored most of inter-relationships between the various limitations.

For example, the Examiner asserts that "a receiving message (Fig. 12, HTTP response message) that was sent from a remote device (Fig. 12, EmWeb server), said message comprising a definition (Fig. 12, Form name), a state change (Fig. 12, default values), and a command (Fig. 12, Submit), . . ." (FOA, page 2)

But the "HTTP response message" (1207 or 1215), which is from the remote device (EmWeb server) to Browser, does not comprise a definition (Form name, 1203 or 1211) or a state change (default values, 1205). The "Form name" 1203 or 1211 is sent from EmWeb server to Application rather than Browser. The "default values" 1205 is sent from Application to

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EmWeb server. It is apparent from this example that even if assuming the elements in Agranat correspond to the limitations of claim 1 as asserted by the Examiner, these elements do not satisfy all the interrelationships of those limitations between them. Therefore, they cannot be equivalent.

As discussed in the telephone interview, the Examiner may arguably find many elements in Agranat and call them equivalent to the limitations of claim 1 (e.g. message, definition, state change and command) in isolation, or disregard the inter-relationship of these limitations. But the Examiner has failed to identify the elements in Agranat that can satisfy *all* requirements in claim 1. Therefore, Agranat cannot anticipate claim 1.

As discussed above, the elements in Agranat (e.g. message, definition, state change and command, as called by the Examiner) are send/received by different objects (i.e. Browser, EmWeb server, Application) at different times. It would be useless for Agranat to combine all these elements into a single message and confine it to be sent from one single object and to be received by one single other object. It would also make Agranat inoperable. Therefore, Agranat does not make claim 1 obvious.

Furthermore, there is nothing in Agranat discloses what sequence, if any, the three elements, i.e. definition, state change and command, are processed. The sequence of processing does not appear to be of concern in Agranat. The Figure 12 of Agranat cited by the Examiner only shows the *different* messages *transmitting* between Browser, EmWeb server and Application, not processing *different parts* of a *single* message. Therefore, Agranat cannot anticipate claim 1, or make it obvious.

Consequently, claim 1 is allowable in view of Agranat.

All other pending claims have at least the same limitations as in claim 1. Therefore, they are all allowable. It is not necessary to address their rejections individually for this reason and other reasons discussed in a reply filed on 6/20/2003, which is incorporated herein by reference.

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CONCLUSIONS

Reconsideration and allowance of pending claims 1-52 in light of the above remarks is respectfully requested. If, after considering this reply, the Examiner believes that a telephone conference would be beneficial towards advancing this case to allowance, the Examiner is strongly encouraged to contact the undersigned attorney at the number listed.

Respectfully submitted,

11/20/2003

Date


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